



PLANNING COMMISSION AGENDA REPORT

III. 3

MEETING DATE: MARCH 27, 2006

ITEM NUMBER:

SUBJECT: PARCEL MAP PM-06-107
147 23RD STREET, COSTA MESA

DATE: MARCH 16, 2006

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP SENIOR PLANNER (714) 754-5611

DESCRIPTION

The applicant requests approval of a parcel map to subdivide a residential property into two lots.

APPLICANT

The applicant is Jim Cefalia, who is also the owner of the property.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP
Senior Planner

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 147 23rd Street Application: PM-06-107

Request: Parcel map to subdivide a residential property into two lots.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: 75 FT x 121 FT
 Lot Area: 8,924 SF
 Existing Development: Two single family residences (under construction)

SURROUNDING PROPERTY:

North: (Acr 23rd St.) R2-MD- Residences
 South: R2-MD- Residence
 East: (Acr. Elden Ave.) R2-MD- Residences
 West: R2-MD- Residence/Vacant Lot

DEVELOPMENT STANDARD COMPARISON

Development Standard Required/Allowed Proposed/Provided

Lot Size:		
Lot Width	100 FT	58 FT (Lot 1)* 63 FT (Lot 2)*
Lot Area	12,000 SF	4,345 SF (Lot 1)* 4,634 SF (Lot 2)*

NA = Not Applicable or No Requirement

*Variances from lot width and area requirements approved under PA-05-07.

CEQA Status Exempt, Class 15

Final Action Planning Commission

BACKGROUND/DISCUSSION

On July 11, 2005, Planning Commission approved Planning Application PA-05-07, consisting of variances from lot width and area and a development review for the construction of two, 2 story, 3,200 square foot single-family residences on the property. The variances were requested to allow the properties to be subdivided into two lots so each unit could be on an independent lot. The residences are currently under construction.

Approval of the parcel map will allow the residences to be sold independent of one another. The subdivision complies with the State Subdivision Map Act.

GENERAL PLAN CONFORMITY

The property is zoned R2-MD and has a general plan designation of Medium Density Residential. Under the zoning and general plan designations two units are allowed on the site and two units are proposed. Thus, the development is consistent with the zoning and general plan. Furthermore, the subdivision provides for home ownership opportunities as prescribed in the goals and objectives of the City's General Plan.

ALTERNATIVES

If the map were denied, the applicant would not be able to file a similar request for six months. The development would not change, but would be limited to rental units.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15315 for Minor Land Divisions.

CONCLUSION

Approval of the parcel map will facilitate an ownership housing project as previously approved under PA-05-07. The map complies with the Subdivision Map Act, and the project conforms to the City's General Plan. Therefore, staff recommends approval of the project.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" – Draft Findings
 Exhibit "B" – Draft Conditions of Approval
 Applicant's Project Justification Form
 Zoning/Location Map
 Plan
 Staff Report for PA-05-07

cc: Dep. City Mgr. - Dev. Svs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Jim Cefalia
930 W. Oceanfront
Newport Beach, CA 92662

File Name: 032706PM06107	Date: 031406	Time: 9:20 a.m.
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RESOLUTION NO. PC-06-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PARCEL MAP PM-06-
107**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Jim Cefalia, owner of real property located at 147 23rd Street, requesting approval of a of a parcel map to subdivide an existing residential property into two lots with variances from lot size and lot width, to facilitate two detached residential units approved on July 11, 2005, under PA-05-07; and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 27, 2006;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** Parcel Map No. PM-06-107 with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine the adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Parcel Map No. PM-06-107 and upon the applicant's compliance with each and all of the conditions contained in Exhibit "B." Any approval granted by this resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 27th day of March, 2006.

Chair, Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on March 27, 2006, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 - Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - The project is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
 - The cumulative effects of all planning applications have been considered.
- B. The creation of the subdivision for two parcels and related improvements is consistent with the General Plan and the Zoning Code.
- C. The proposed use of the subdivision is for home ownership residences, which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- D. The subject property is physically suitable to accommodate Tentative Parcel Map PM-06-107 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- E. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- F. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.
- G. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- H. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15315 for Minor Land Divisions.
- I. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. The applicant is reminded that all conditions of approval, code requirements, and special district requirements, of Planning Application PA-05-07 shall be complied with.

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: **PM. 06-107**

Environmental Determination: **EXEMPT**

Address: 147 E. 23rd Street, Costa Mesa, CA 92627

1. **Fully describe your request:** Preoccupancy conversion to a subdivision for 2 units under construction.

2. **Justification**

- A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.
- B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

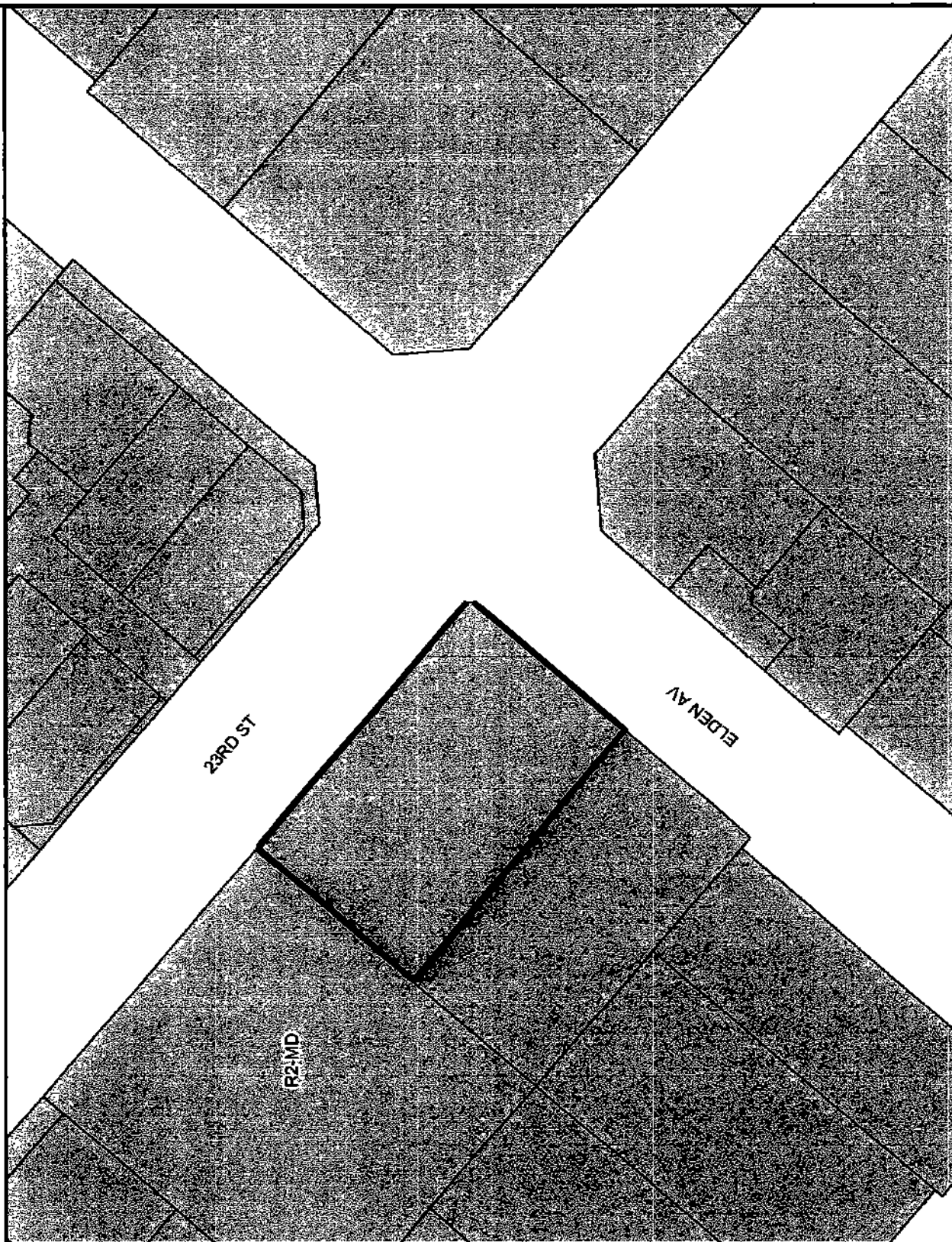

Signature

March '96


Date

ZONING/LOCATION MAP

147 23RD STREET



Legend

Street Names

Parcel Lines

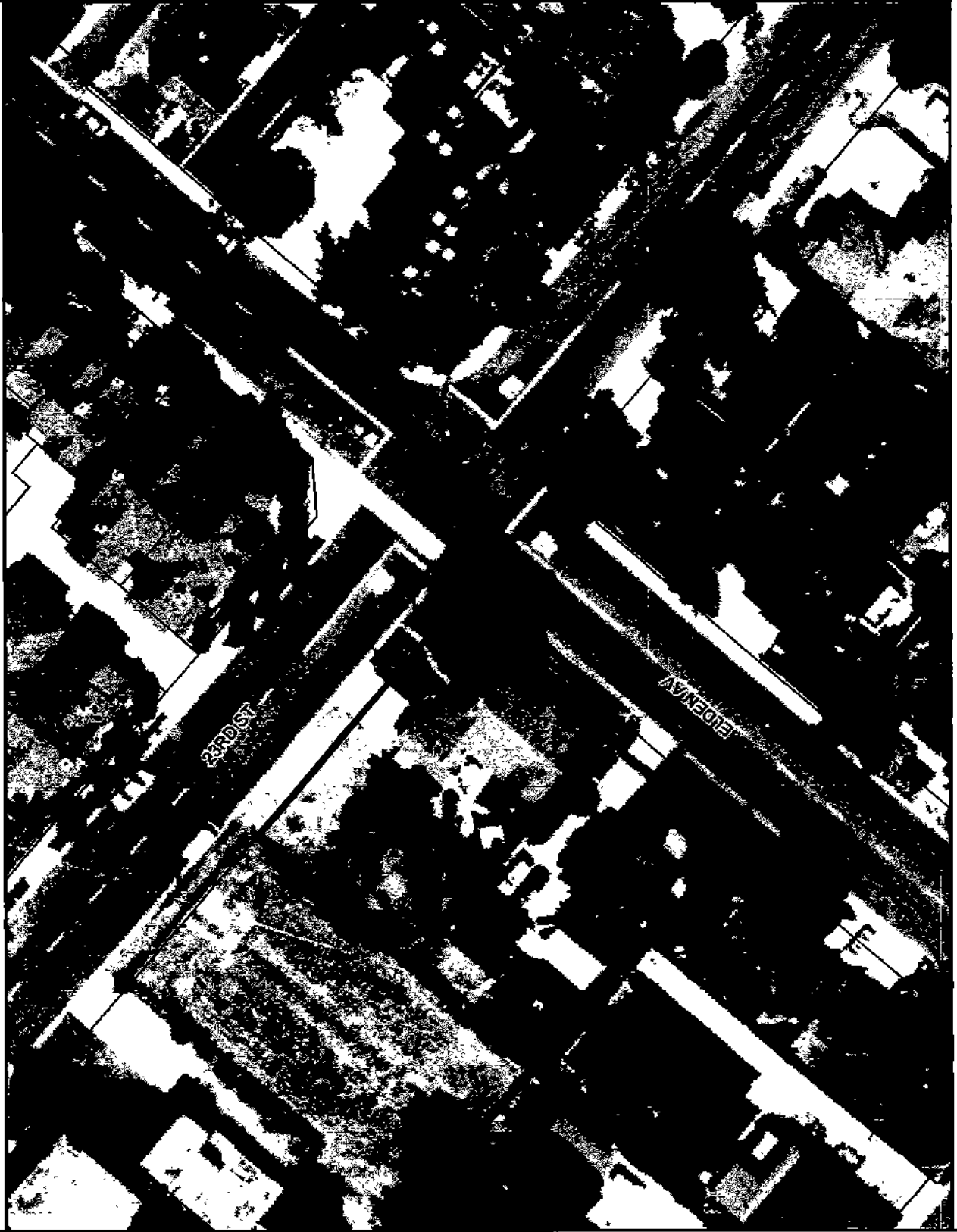
Zoning



PM-06-107

Legend

Street Names
Parcel Lines
Ortho
Photography
Parcels





PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 11, 2005

ITEM NUMBER: *II. 6*

SUBJECT: PLANNING APPLICATION PA-05-07
147 23RD STREET

DATE: JUNE 30, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611

DESCRIPTION

The applicant is requesting approval of variances from lot area (12,000 square feet required; 4,455 square feet and 4,469 square feet proposed) and lot width (100 feet required; 59 feet and 61 feet proposed) in conjunction with a development review to construct two, 2 story, 3,200 square foot single family residences.

APPLICANT

The applicant is Pete Volbeda, representing the owner of the property, Jim Cefalia.

RECOMMENDATION

Deny the variances and approve the development review, by adoption of Planning Commission resolution.

MEL LEE, AICP
Senior Planner

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 147 23rd Street Application: PA-05-07

Request: Construct two, 2-story residential units with variances from lot size and lot width requirements.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: 75 FT x 121 FT
 Lot Area: 8,924 SF
 Existing Development: One-story single family residence

SURROUNDING PROPERTY:

North: (Acr 23rd St.) R2-MD- Residences
 South: R2-MD- Residence
 East: (Acr. Elden Ave.) R2-MD- Residences
 West: R2-MD- Residence/Vacant Lot

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
Lot Size:		
Lot Width	100 FT	59 FT (Lot 1)* 61 FT (Lot 2)*
Lot Area	12,000 SF	4,469 SF (Lot 1)* 4,455 SF (Lot 2)*
Density:		
Zone	1 du/3,630 SF	1 Lot: 1 du/4,462 SF 2 Lots: 1 du/4,455 & 4,469 SF
General Plan	1 du/3,630 SF	1 Lot: 1 du/4,462 SF 2 Lots: 1 du/4,455 & 4,469 SF
Building Coverage (Development Lot):		
Buildings	NA	3,784 SF (42%)
Paving	NA	800 SF (9%)
Open Space	3,569 SF (40%)	4,340 SF (49%)
TOTAL		8,924 SF (100%)
Open Space (Individual Lots)	Lot 1: 1,788 SF (40%) Lot 2: 1,782 SF (40%)	Lot 1: 2,177 SF (49%) Lot 2: 2,163 SF (48%)
Building Height:	2 Stories 27 FT	2 Stories 26 FT, 3 IN
Chimney Height	29 FT	29 FT
First Floor Area (including Garage)	NA	1,892 SF
Second Floor Area	NA	1,315 SF
2nd Floor% of 1st Floor**	80%	69%
Rear Yard Lot Coverage	25% (315 SF)	23% (Lot 1) 25% (Lot 2)
Setbacks		
Front	20 FT	20 FT (Both Lots)
Side (left/right)	Lot 1 (Interior Lot): 5 FT (1 Story)/ 10 FT Avg. (2 Story)** Lot 2 (Corner Lot) 10 FT/10 FT Avg.	Lot 1: 5 FT/10 FT Avg. Lot 2: 10 FT/10 FT Avg.
Rear	10 FT (1 Story) 20 FT (2 Story)	10 FT (1 Story) 20 FT (2 Story) (Both Lots)
Parking:		
Covered	2	2
Open	2	2
TOTAL	4 Spaces	4 Spaces
Interior garage dimension	20 FT	20 FT

NA = Not Applicable or No Requirement

*Does Not Comply With Code – Variance Requested

**Residential Design Guideline

CEQA Status Exempt, Class 3

Final Action Planning Commission

BACKGROUND

The site contains an existing one-story residence, which is proposed to be demolished to accommodate the proposed project.

ANALYSIS

The applicant is proposing to construct two, 2 story, 3,200 square foot single-family residences on the property. Because the property is zoned R2-MD, two units are allowable, however, the applicant is proposing to sell the units independent of one another; in order to do that, the property would need to be subdivided into two lots.¹ Code Section 13-32 requires newly subdivided R2-MD zoned properties to provide a minimum lot size of 12,000 square feet and a minimum lot width of 100 feet, neither of which can be met with this property. Because the proposed lots would not comply with the minimum lot width or lot size specified in the R2-MD zone, the applicant is requesting approval of a variance.

If the variances were to be approved, the applicant would need to submit a separate parcel map application to subdivide the lots.

Variances

Code Section 13-29(g)(1) allows granting a variance where special circumstances applicable to the property exist, such as an unusual lot size, lot shape, topography, or similar features, and where strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other properties in the vicinity under an identical zoning classification. Other factors (such as existing site improvements) may also be considered.

The existing property is nonconforming with regard to lot size (8,924 square feet is existing) and lot width (75 feet is existing). It is staff's opinion that there is no basis for approval of the requested variances because there are no special circumstances applicable to the property such as an unusual lot size, topography, or similar features because the property is rectangular and flat, and the existing structure on the property is proposed to be demolished.

Additionally, the variances would not deprive the property owner of privileges enjoyed by owners of other properties in the vicinity because the property abutting the site to the west is mostly vacant, with the exception of a small one-story residence. This lot, which conforms to code (121 feet in width and 16,335 square feet in area) could be combined with the subject property and accommodate a future R2-MD zoned development that complies with the zoning code and provide for home ownership opportunities as prescribed in the City's General Plan.

¹ Code requires a minimum of three units for a common interest development, so that option is also not available without a variance.

In the project description/justification form provided by the applicant, he points out that there is an existing two-unit common interest development directly across the street, (addressed as 2292 Elden Avenue) and that the Planning Commission approved a similar variance for a project located at 120 Monte Vista Avenue in June 2004.

With regard to the applicant's comment related to the two-unit common interest development, that project predated the current code requirements for a minimum of three units, which was put in place in the 1990's to ensure long-term maintenance of common areas via a homeowner's association as a trade-off for smaller residential lots. The three-unit minimum was also seen as a method to encourage consolidation of nonconforming residential lots. The applicant's request does just the opposite by subdividing an already substandard lot into ever smaller lots.

With regard to the previously approved variance, on June 28, 2004, Planning Commission approved PA-04-20, located at 120 and 122 Monte Vista Avenue, to allow variances from lot size and lot width in conjunction with the construction of two single family residences; however in that instance, the parcel could not be combined with any adjoining properties because they were fully developed and contain multiple family residences.

If the variance from lot size and lot width are not approved, the applicant could still construct the residences as rental units.

Development Review

A development review is required for the two proposed residences. Normally, development reviews are considered by staff; however, to expedite processing, the request is being combined with the variances.

Although both units are two-story, a minor design review is not required because the design of the residences meets the intent of the City's Residential Design Guidelines. Specifically, the proposed two-story residences incorporate multiple building planes and breaks in the elevations and roofs to create visual interest and adequate transitions from the first to second floor. Privacy impacts from second story windows on adjacent properties would be minimal because of the orientation of the windows facing toward the street and the distance between the second story windows and the structures on the abutting residential properties.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act.

ALTERNATIVES

The Commission has the following alternatives:

1. Approve the development review and deny the variances as recommended by staff;
2. Approve the development review and variances; or
3. Deny the development review and deny the variances. The applicant could not submit substantially the same type of application for six months.

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to approve the project as a two-unit common interest development. If the Commission were to consider this alternative, a continuance of the public hearing to provide new notices would be required.

CONCLUSION

If the variances are denied, it would prevent the residences from being sold independently; however, the units could still be constructed as rental units. If the Commission were to approve the variances, appropriate findings would need to be made.

CONCLUSION

Because staff cannot make the appropriate findings for the variances for lot size and lot width, staff recommends denial of the variances. Because the units themselves satisfy all applicable code requirements and the Residential Design Guidelines, the development review can be approved but, with the denial of the variances, the units could not be sold independent of one another.

Attachments: 1. Draft Planning Commission Resolution
 2. Exhibit "A" - Draft Findings
 3. Exhibit "B" - Draft Conditions of Approval
 4. Applicant's Project Description and Justification
 6. Location Map
 7. Plans/Photos

cc: Deputy City Mgr.-Dev. Svs. Director
 Senior Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Pete Volbeda
 615 N. Benson Avenue, Suite C
 Upland, CA 91786

Jim Cefalia
 930 W. Oceanfront
 Newport Beach, CA 92662

File Name: 071105PA0507	Date: 062705	Time: 8:15 A.M.
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CITY OF COSTA MESA PLANNING APPLICATION

PROJECT DESCRIPTION AND JUSTIFICATION

1. Project Address:

147 23rd st

2. Fully describe your request:

*Design Review and variance for a two lot subdivision

3. Justification:

A. For a Conditional Use Permit or Minor Conditional Use Permit: On a separate sheet, describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

B. For a variance or Administrative Adjustment: On a separate sheet, describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

4. This project is: (check where appropriate)

☒ In a flood zone.

☐ In the Redevelopment Area.

☐ Subject to future street widening.

☐ In a Specific Plan Area.

☐ Includes a drive-through facility.

(Special notice requirements, pursuant to GC Section 65091 (d))

5. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST reproduced on the rear of this page and have determined the project:

☐ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

Signature

Date

Planning Application PA-05-07
147 23rd Street, Costa Mesa-Jim Cefalia 949 933 7986
PLANNING COMMISSION MEETING OF: JULY 11,2005

This application is requesting approval to subdivide an existing lot into two with variances from minimum lot width and area requirements. However, this application can be justified in several ways.

Findings

- A. The information presented complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the variances from minimum lot width and area requirements. The resulting Parcels will have direct frontage on the public street an element typical to all single family homes throughout the City of Costa Mesa. The development, even after subdivision, satisfies the City's residential development standards and residential design guidelines. Also, the number of units cannot be increased even with the approval of the subdivision. This lot is unusually large for a single lot and when subdivided each lot will be approximately a 1,000 s.f. greater than the 3,630 s.f minimum required for a 3 lot subdivision.
- B. The outcome of this application will not affect the physical development of the lot because of its R-2 zoning but will determine whether the two units will be ownership or rental units. The approval of the applicant's requests will allow additional homeownership opportunities. Granting the variance will not allow a use, density, or intensity, which is not in accordance with the general plan designation for the property. Also, if the homes are built for homeowners and not rentals the detail inside and outside much more appealing to the neighborhood.
- C. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
 - a. The proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features have been considered.
 - c. The project is consistent with the General Plan
 - d. The cumulative effects of all planning applications have been considered.
- D. Strict application of the Zoning ordinance would deprive the property owner of privileges enjoyed by owners of other properties in the vicinity under identical zoning classifications. On June 28th, 2004 the Planning Commission approved planning application PA-04-02 located at 120 and 122 Monte Vista Ave. which is the same type of project but the parcel has shared access. Our proposed project is typical of the single family homes in the City of Costa Mesa because it has separate driveways and no shared access. Also, the adjacent property on Elden Street is a two lot subdivision similar to what we are proposing.

PETE VOLBEDA, ARCHITECT

Description/Justification

23rd and Elden Street, Costa Mesa (Jim Cefalia Owner)

PA 65-07
47 23 Ro

The proposal is for two separate lots of 4439 and 4534 s.f. A variance is required because the resulting lot is smaller than the required minimum size to contain two lot subdivision. However, the proposed lots represent a more desirable development for the City of Costa Mesa for the following reasons:

1. Single family home ownership is very desirable in the City as it improves the aesthetics of the neighborhood and improves property values.
2. The two proposed lots will contain nice looking homes and will provide a buffer for the view of older residences.
3. The lot size is greater than the 3,630 s.f. minimum required for a 3 lot (or larger) subdivision.
4. To deny this variance is to deny a property right others have enjoyed, namely the 2 lot subdivision across the street.

~~PE~~ TE VOLBEDA

[Handwritten signature]

PA-05-07

RESOLUTION NO. PC-05-45

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF COSTA MESA APPROVING PLANNING APPLICATION PA-05-07**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Pete Volbeda, representing the owner of the property, Jim Cefalia, with respect to the real property located at 147 23rd Street, requesting approval of variances from lot area (12,000 square feet required; 4,455 square feet and 4,469 square feet proposed) and lot width (100 feet required; 59 feet and 61 feet proposed) in conjunction with a development review to construct two, 2 story, 3,200 square foot single family residences; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 11, 2005.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** PA-05-07 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for PA-05-07 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 11th day of July, 2005.



Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 11, 2005, by the following votes:

AYES: COMMISSIONERS: HALL, EGAN, GARLICH

NOES: COMMISSIONERS: PERKINS, FISLER

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE


Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the variances from lot size and lot width requirements. Strict application of the zoning ordinance would deprive the property owners of privileges enjoyed by owners of other property in the vicinity under identical zoning classification. Specifically, the property provides 2 single –family units with home ownership opportunities. The property also provides an open space plan that exceeds the requirement by 7% (42% required).
- B. The information presented substantially complies with Costa Mesa Municipal Code with regard to the development review in that the project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community.
- C. The proposed project, complies with Costa Mesa Municipal Code Section 13-29(e) because:
 - a. The proposed building and site development is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - c. The proposed building and site development is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
2. Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
3. Street addresses shall be displayed on the front of each unit. Street address numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
4. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
5. The applicant shall contact Comcast (cable television) at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
6. The conditions of approval, ordinance and code provisions of PA-05-07 shall be blueprinted on the face of the site plan.
7. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
8. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
9. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed, and shall be replaced on a 1-to-1 basis. This condition shall

- be completed under the direction of the Planning Division.
10. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 6 p.m. on Saturday. Construction is prohibited on Sundays and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- Eng. 11. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.
12. A land use restriction executed by and between the applicant and the City of Costa Mesa shall be recorded prior to the recordation of the parcel map. The land use restriction shall state that no second dwelling unit shall be permitted on either parcel. The applicant shall submit to the Planning Division, a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so the document may be prepared.

TENTATIVE PARCEL MAP NO. 2006-107

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA.

ROBIN B. HAMERS AND ASSOC., INC.
DATE OF SURVEY: APRIL 2003

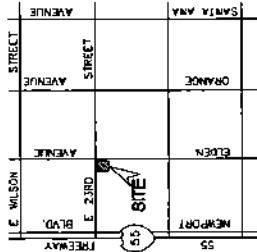
ROBIN B. HAMERS

OWNER AND SUBMITTER
JIM CEFALIA
930 W. OCEANFRONT
NEWPORT BEACH, CA. 92662
(949) 675-4665

DATE OF PREPARATION
DECEMBER 2005

SITE ADDRESS
147 E. 23RD STREET
COSTA MESA, CA. 92627

ENGINEER
ROBIN B. HAMERS AND ASSOC., INC.
234 E. 17TH STREET, SUITE 205
COSTA MESA, CA. 92627
(949) 548-1192



VICINITY MAP



TYPICAL STREET SECTION



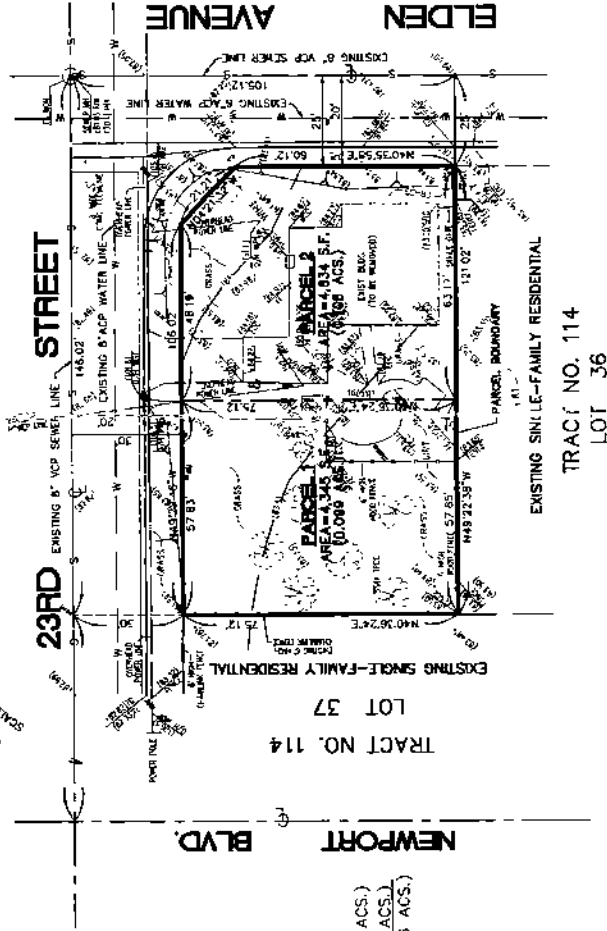
SCALE: 1"=30'

SYMBOLS/LEGEND

---	PARCEL BOUNDARY
---	RIGHT-OF-WAY LINE
---	WATER LINE
---	SEWER LINE
---	STREET CENTERLINE
---	SQUARE FEET
---	ACRES
---	BACK OF WALK
---	TO TOP OF CURB
---	FINISHED FLOOR
---	CONCRETE
---	EASEMENT LINE
---	SPOT ELEVATION
---	PARCEL LINE

AREA SUMMARY
PROPOSED PARCEL 1: 4,345 S.F. (0.099 ACS.)
PROPOSED PARCEL 2: 4,634 S.F. (0.106 ACS.)
GROSS TOTAL: 8,979 S.F. (0.206 ACS.)
(AREA OF SITE)

PROPOSED NUMBER OF PARCELS
2 NUMBERED PARCELS



LEGAL DESCRIPTION

LOT 36, TRACT NO. 114, SOUTH SANTA ANA SUBDIVISION NO. 1, AS PER MAP THEREOF RECORDED IN BOOK 11, AT PAGE 14 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, EXCEPTING THE SOUTHWESTERLY 60 FEET THEREOF.

ASSESSOR'S PARCEL NUMBER
APN: 426-054-10

SETBACK REQUIREMENTS

FRONT SETBACK: 20 FEET
SIDE SETBACK: 5 FEET
REAR SETBACK: 20 FEET

EASEMENTS

NO ON-SITE EASEMENT

BASIS OF BEARING

THE BASIS OF BEARING SHOWN HEREON IS BASED ALONG THE CENTERLINE OF 23RD STREET BEING N50°11'45"W PER TRACT NO. 114, M.M. 11/14, RECORDS OF ORANGE COUNTY, STATE OF CALIFORNIA.

PROPOSED USE

2 SINGLE FAMILY HOMES

FLOOD ZONE

ZONE X, OUTSIDE THE 500 YEAR FLOOD BOUNDARIES

PM.06/07